

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FIKRI BAYRAMOGLU,

Plaintiff,

v.

MATTHEW CATE, et al.,

Defendants.

Case No. [13-cv-01094-YGR](#) (PR)

**ORDER REOPENING ACTION;  
SETTING NEW BRIEFING  
SCHEDULE; AND GRANTING  
PLAINTIFF PERMISSION TO USE  
ELECTRONIC CASE FILING SYSTEM**

Plaintiff, a frequent litigant in federal court, filed this *pro se* civil rights action under 42 U.S.C. § 1983. In an Order dated July 23, 2014, Plaintiff's *in forma pauperis* status was revoked pursuant to 28 U.S.C. § 1915(g). Dkt. 27. The case was dismissed without prejudice to Plaintiff's filing a motion to reopen no later than twenty-eight days from the date of that Order, accompanied by the full filing fee of \$350.00. *Id.* at 10.

After being granted multiple extensions of time to do so, Plaintiff has finally paid the full \$350.00 filing fee. *See* Receipt Number 44611012363. He has also filed a motion to reopen this action, a notice of change of address, as well as a request to use the Court's electronic case filing system. Dkt. 48.

Good cause shown therefor, Plaintiff's motion to reopen (dkt. 48) is GRANTED, and the Court's July 23, 2014 Order dismissing this case (dkt. 27) is VACATED. The Clerk of the Court is directed to REOPEN this matter. The parties shall abide by the briefing schedule outlined below.

Plaintiff also informs the Court that he is no longer incarcerated at a prison in the United States of America. Dkt. 48 at 2. He claims that he was "transferred by Turkish Airline[s] to Istanbul, Turkey under the U.S.-Turkey Prisoner Transfer Treaty." *Id.* Plaintiff has provided the Court with his current mailing address in Turkey, his phone number, and his e-mail address. *Id.*

Finally, as mentioned above, Plaintiff has filed a request to use the Court's electronic case filing system. "ECF" is the acronym for Electronic Case Filing, a filing system that allows parties to file and serve documents electronically. The Court GRANTS Plaintiff's request to use the ECF

system and have this case designated as an e-filing case. Dkt. 48. This action is now designated as an e-filing case, and Plaintiff shall follow the instructions relating to e-filing below.

### CONCLUSION

For the reasons outlined above, the Court orders as follows:

1. Plaintiff's motion to reopen (dkt. 48) is GRANTED.
2. The Court's July 23, 2014 Order dismissing this case (dkt. 27) is VACATED, and the Clerk shall REOPEN this matter.
3. The Court GRANTS Plaintiff's request to use the ECF system and have this case designated as an e-filing case. Dkt. 48. If he has not already done so, Plaintiff should consult the Court's public website, [www.cand.uscourts.gov](http://www.cand.uscourts.gov), click on the "ELECTRONIC CASE FILING" link, and register himself, assuming he has the necessary computer and internet access equipment. Because this case is now designated as an e-filing case, all documents (orders and motions) will be served on Plaintiff only electronically (and no paper copy will be sent to him) and all his documents must be filed electronically. As an e-filing litigant, Plaintiff may view and download any order or motion filed by an opponent in the case once without charge. There are no fees to be waived for participation in the e-filing program. **Plaintiff is responsible for making sure that his electronically filed documents actually get filed.**
4. The parties shall abide by the following briefing schedule:
  - a. No later than **sixty (60) days** from the date of this Order, Defendants shall file a motion for summary judgment, which must be accompanied by a *Rand*<sup>1</sup> notice so that Plaintiff will have fair, timely and adequate notice of what is required of him in order to oppose the motion. *Woods v. Carey*, 684 F.3d 934, 935 (9th Cir. 2012). If Defendants are of the opinion that this case cannot be resolved by summary judgment, they shall so inform the Court prior to the summary judgment motion deadline.
  - b. Plaintiff's opposition to the motion for summary judgment shall be filed with the Court and served on Defendants no later than **twenty-eight (28) days** after the date on

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<sup>1</sup> *Rand v. Rowland*, 154 F.3d 952 (9th Cir. 1998).

1 which Defendants' motion is filed. Plaintiff shall refer to the Court's October 30, 2013 Order of  
2 Partial Dismissal and Service for a further explanation on summary judgment. Dkt. 8 at 7-8.

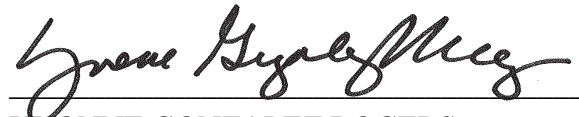
3 c. Defendants shall file a reply brief no later than **fourteen (14) days** after the  
4 date the opposition is filed. The motion shall be deemed submitted as of the date the reply brief is  
5 due. No hearing will be held on the motion unless the Court so orders at a later date.

6 5. Extensions of time are not favored, though reasonable extensions will be granted.  
7 Any motion for an extension of time must be filed no later than **fourteen (14) days** prior to the  
8 deadline sought to be extended.

9 6. This Order terminates Docket No. 48.

10 IT IS SO ORDERED.

11 Dated: December 18, 2015

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13 YVONNE GONZALEZ ROGERS  
14 United States District Judge  
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